

UNITED STATES DISTRICT COURT
OF THE DISTRICT OF MASSACHUSETTS

FILED
IN CLERKS OFFICE

C.A. NO. 04-11971-GAO

2004 OCT -4 P 3:41

U.S. DISTRICT COURT
DISTRICT OF MASS.

JANET M. BUTLER, *
Plaintiff, *
v. *
MARK S. BEATON, Individually *
and in his capacity as a Member of *
the BOARD OF SELECTMEN OF *
THE TOWN OF KINGSTON, *
PAUL M. GALLAGHER, OLAVO *
B. DEMACEDO, JOSEPH D. *
KELLEHER, RICHARD E. *
KENNEY in their capacities as *
Members of the BOARD OF *
SELECTMEN OF THE TOWN OF *
KINGSTON and TOWN *
OF KINGSTON, *
Defendants. *

PLAINTIFF'S MOTION FOR LEAVE TO SUBMIT
A BRIEF EXCEEDING 20 PAGES

NOW COMES the plaintiff, Janet M. Butler, and hereby moves this Honorable
Court enter an order allowing her to submit a Memorandum of Law in Excess of 20
Pages, the limit allowed by the Rules of the District Court.

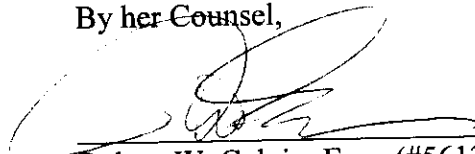
AS GROUNDS THEREFORE the plaintiff, Butler, states that the instant matter
which is a certiorari review of a decision of the Kingston Selectmen is being briefed on
an expedited basis contains no official record filed by the Kingston Selectmen which
would normally be filed as an answer. As a result, the factual basis for this Motion
involve a recitation of specific facts occurring on multiple dates which cannot be

accurately summarized beyond that which has been done in the Memorandum without sacrificing the accuracy of the substance of the facts. The plaintiff, Butler, was thus obligated to discuss the facts which she claims are a part of the record over 15 pages of the Memorandum of Law in Support of this Motion for Judgment on the Pleadings. Since the memorandum also involves discussion of the law on procedural due process, the plaintiff, Butler, was unable to curtail the memorandum without discussing the salient points on this certiorari review in a shorter memorandum. Allowance of this motion is in the interests of justice and fairness.

WHEREFORE the plaintiff, Butler, requests leave to submit her brief which exceeds 20 Pages.

DATED: 4-Oct-04

Respectfully Submitted
Janet M. Butler
By her Counsel,



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